

MEETING MINUTES CITY OF MILPITAS

Minutes of: Special Meeting of the Milpitas City Council
Date: Friday, April 10, 2020
Time: 5:30 PM Closed Session
Open Session immediately following
Location: Meeting was held online only
Milpitas, CA

CALL TO ORDER

Mayor Tran called the virtual special City Council meeting to order at 5:33 PM. City Clerk called the roll.

PRESENT: Mayor Tran, Vice Mayor Nuñez, and Councilmembers Dominguez, Montano, and Phan

ABSENT: None

Meeting was held via teleconference/webinar only, and made available for viewing on Facebook live, on YouTube and livestreamed from the City of Milpitas website.

PLEDGE

Mayor Tran led the pledge of allegiance.

CLOSED SESSION

City Council convened in Closed Session to discuss one potential litigation matter.

ANNOUNCEMENT

City Attorney Chris Diaz stated there was no reportable action out of Closed Session.

APPROVE AGENDA

Motion: to approve the agenda, with deferment of agenda item no. 2 (Resolution to amend Classification Plan) to the next regular meeting

Motion/Second: Councilmember Dominguez/Vice Mayor Nuñez

AYES: 5

NOES: 0

ANNOUNCEMENT OF CONFLICT OF INTEREST AND CAMPAIGN CONTRIBUTIONS

City Attorney Diaz asked Councilmembers if they had any personal conflicts of interest or reportable campaign contributions. By roll call, no conflicts were reported.

Councilmember Dominguez reported a campaign contribution from project consultant Mark Tiernan in 2018. Mayor Tran said he'd received a contribution from the applicant consultant's wife of \$100 a couple years ago, and the hotel applicant/owner gave him a contribution in the past.

PUBLIC FORUM

Mayor Tran stated the time limit for reading comments from the public was one minute.

City Clerk Mary Lavelle and Deputy City Clerk Pam Caronongan read aloud 92 emailed comments, opposed to and in favor of the proposed hotel project. The last comment read aloud was received at 6:48 PM, and while more emails were incoming after this time, the City Attorney advised those could be saved for the record but not read aloud. Mayor Tran closed the public forum.

AGENDA ITEMS

1. Deliberation on Appeal
of Planning Commission
Decision on La Quinta
Hotel development plan

Planning Director Ned Thomas summarized the hotel project and the appeal filed, as presented on Tuesday, April 7. City Attorney Chris Diaz provided instruction to the Council upon deliberation.

Following discussion and staff response to questions, Council voted as follows.

Motion: to adopt a resolution (as recommended by staff) upholding the appeal from the applicant/owner, and to approve the necessary planning actions needed for the La Quinta Hotel project

Motion was to include additionally: a hotel up to four stories in height, to prohibit beer and wine sale (no service or sale) and seek no ABC license, to relocate the tower element to the east side of building, and meet all requirements for parking as required.

Motion/Second: Vice Mayor Nuñez/Councilmember Phan

Motion failed by a vote of: AYES: 2 (Nuñez, Phan)
NOES: 3

The City Attorney then gave legal advice that Council must make findings to deny the project, after denying the appeal. The resolution for denial would come back to the City Council for a vote.

Motion: to direct staff to return to Council with a Resolution for denial of the La Quinta Hotel project, with findings on at least three bases related to building height, traffic concerns including safety, and on ingress/egress, future owners of the hotel, nearby childcare center and traffic

Motion/Second: Mayor Tran/Councilmember Dominguez

Motion carried by a vote of: AYES: 3
NOES: 2 (Nuñez, Phan)

2. Resolution – to amend
Classification Plan

This item was removed from the agenda and continued to the next regular City Council meeting on April 21, 2020.

ADJOURNMENT

Mayor Tran adjourned the special City Council meeting at 9:20 PM.

The foregoing minutes were approved by the Milpitas City Council on April 21, 2020.

Mary Lavelle, City Clerk